

**DENTISTRY EXAMINING BOARD  
REGULAR MEETING  
MARCH 3, 2004**

**MEMBERS PRESENT:** Bruce Barrette, DDS; David Carroll, RDH; Keith D. Clemence, DDS; Nanette Kosydar Dreves, RDH; Judith Ficks; Wilber Gill, DDS; Karen Jahimiak, DDS; Catherine Schleis, RDH; Arthur Srb; Richard Strand, DDS; and Bruce Wayne Trimble, DDS

**STAFF PRESENT:** Tom Ryan, Bureau Director; Jacquelynn Rothstein, DRL counsel to the Board; Pamela Meicher, Program Assistant; and other DOE staff for portions of the meeting

**GUESTS:** Lori Barbeau, DDS; William R. Skarie, DDS; Shirley Gutlowski, RDH, BSDH, WDHA; Peter Theo, WDHA; Fred Jaeger, WDA; Mara Brooks, WDA; Frank Recker; Janet Krahenbuhl, RDH; Lee Kullel; Raymond M. Roder, Tim Bolen

**CALL TO ORDER**

Chair Bruce Barrette, DDS, called the meeting to order at 8:37 a.m.

**PLEDGE OF ALLEGIANCE**

The Board recited the pledge of allegiance.

**APPROVAL OF AGENDA**

**Additions to the Agenda:**

Stipulation – John K. Syverson, DDS  
Order Fixing Costs – Lee R. Krahenbuhl, DDS  
Application Review – Geraldine Miller, RDH  
Total Pending Cases by Team and Status  
Draft Response letter to Senator Carol Roessler and Representative Carol Owens

**MOTION:** Catherine Schleis, RDH, moved, seconded by Karen Jahimiak, DDS, to approve the agenda as amended. Motion carried unanimously.

**APPROVAL OF MINUTES OF JANUARY 7, 2003**

**Amendments to the minutes:**

Page 3 – Change Annual WDA meeting to January 17, 2004  
Page 6 – Change Dr. Krahenbuhl's suspension date to 12-07-03 (from 12-10-03)  
Page 6 – Change AB 655 to Regulatory Reform Bill

**MOTION:** Judith Ficks moved, seconded by David Carroll, RDH, to approve the minutes as amended. Motion carried unanimously.

**PRESENTATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN  
THE MATTER CONCERNING THOMAS J. LARKIN, DMD,  
CASE ADVISOR NANETTE KOSYDAR DREVES, RDH**

DOE Attorney Arthur Thexton presented a proposed stipulation in the matter concerning Thomas J. Larkin, DMD. This matter will be deliberated on in closed session.

**PRESENTATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN  
THE MATTER CONCERNING LANCE R. ORLINSKI, DDS,  
CASE ADVISOR KAREN JAHIMIAK, DDS**

DOE Attorney Michael Berndt presented a proposed stipulation in the matter concerning Lance R. Orlinski, DDS. This matter will be deliberated on in closed session.

**PRESENTATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN  
THE MATTER CONCERNING LYNN M. RANDEL, DMD,  
CASE ADVISOR DAVID CARROLL, RDH**

DOE Attorney Michael Berndt presented a proposed stipulation in the matter concerning Lynn M. Randel, DMD. This matter will be deliberated on in closed session.

**PRESENTATION OF PROPOSED STIPULATION, FINAL DECISION AND ORDER IN  
THE MATTER CONCERNING JOHN K. SYVERSON, DDS,  
CASE ADVISOR BRUCE WAYNE TRIMBLE, DDS**

DOE Attorney David Hart introduced himself to the Board. The Chair welcomed Attorney Hart on behalf of the Board.

DOE Attorney David Hart presented a proposed stipulation in the matter concerning John K. Syverson, DDS. This matter will be deliberated on in closed session.

**PRESENTATION OF ORAL ARGUMENTS IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST LEE R. KRAHENBUHL, DDS, RESPONDENT, LS 0208121  
DEN – CASE ADVISOR RICHARD STRAND, DDS**

DOE Attorney Jim Polewski presented on behalf of petitioner and Attorney Raymond Roder on behalf of the respondent, Lee R. Krahenbuhl, DDS. This matter will be deliberated on in closed session.

**CONSIDERATION OF ORDER FIXING COSTS IN THE MATTER CONCERNING  
LEE R. KRAHENBUHL, DDS – CASE ADVISOR RICHARD STRAND, DDS**

DRL counsel to the Board asked the Board to consider formally ordering costs in the matter of Lee. R. Krahenbuhl, DDS.

**MOTION:** Nanette Kosydar Dreves, RDH, moved, seconded by Wilber Gill, DDS, in favor of approving the Order Fixing Costs of \$22,771.01, which are due 06-15-04 unless amended by the Board, in the matter concerning Lee. R. Krahenbuhl, DDS. Case Advisor Richard Strand, DDS, abstained.  
Motion carried.

**ADMINISTRATIVE REPORT**

**DRL Building Renovation – Progress:**

The Bureau Director reported on the building renovation progress. The new space has been cleared and a tour of the space may be provided during a future meeting.

**DRL Website Modernization – Progress:**

The Bureau Director stated that the new website (<http://drl.wi.gov>) was launched on February 24. An overhead presentation may be given at a future meeting. Improvements include websites by profession, and the ability to renew licenses on-line.

The Board expressed concerns with the spending for renovated space and technological upgrades when they have restricted travel, meetings, and the department has shortages of investigative and legal staff. The Bureau Director said that minute taking by Bureau Assistants with laptops will decrease the length of time currently required to complete the minutes. He also stated that the building renovation was part of the lease re-negotiation and offered to invite Elizabeth Reinwald, Budget Director, to present information related to the budget at a future meeting.

**REPORT ON JANUARY 28, 2004 WISCONSIN PRISON QUALITY OF CARE TOUR –  
DAVID CARROLL, RDH**

David Carroll, RDH, reported that he toured Dodge Correctional Institute, Waupun, WI, on January 28, 2004, with a group of other Board members. The group met the warden, toured the facility, and was given a review on how the institution functions as an intake facility. Mr. Carroll said that the clinic is new and that they toured the dental areas. He also stated that some of the conditions seemed difficult.

**REGULATORY DIGEST REVIEW**

Dr. Barrette reported that the Regulatory Digest had been completed, and he entertained a motion to approve the publication of the Digest.

**MOTION:** Nanette Kosydar Dreves, RDH, moved, seconded by Richard Strand, DDS, to approve the Regulatory Digest with an amendment to include the costs of \$22,771.01, in the matter of the Lee R. Krahenbuhl, DDS. Motion carried unanimously.

### **REGIONAL EXAMINATION FAILURES – CRDTS, WREB**

Dr. Barrette wanted to qualify the discussion from the previous meeting related to examination failures. After a brief discussion, the Board agreed that the appropriate forms need to be updated to query for CRDTS and WREB examination failures only.

**MOTION:** Richard Strand, DDS, moved, seconded by Bruce Wayne Trimble, DDS, in favor of the Division of Credentialing updating the appropriate application forms to query for examination failures for CRDTS and WREB. Motion carried unanimously.

### **REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES**

#### **Act 118:**

This bill requires substantial new analysis and research requirements by the Department. Preparing scope statements or rule drafts will be more involved, and it is anticipated that since there was no additional staff allocated with the bill, the rules process will take longer. As part of the rule drafting stage, a review of contiguous state's laws is required in addition to analytical work on why the rule is needed.

#### **Conscious sedation and definition of dental school:**

Bruce Barrette reported that neither the conscious sedation nor the definition of dental school scope statements had been published. Dr. Barrette felt that both should have been published since they both were ready prior to Act 118 going into affect. Tom Ryan reported that the OLC staff person responsible for publishing scope statements was out on leave when the scope statement was approved and other staff was not aware that the scope statements had not been sent out to be published. Mr. Ryan reported that due to Act 118, scope statements and rules in general will take longer due to new requirements, which include: a check related to federal legislation; and the analysis of contiguous states laws. The Board discussed further their concerns with delays in publishing scope statements, articulating clearly its dissatisfaction and frustration over this issue.

### **CRDTS REPORT AND UPDATES**

Richard Strand, DDS, reported that he had no new information to report to the Board.

### **AADE UPDATES**

Dr. Strand reported the next AADE meeting is scheduled for March 28-30, 2004, in Chicago, IL. Dr. Strand said that some states fund four Board members. Mr. Ryan told the Board that he regrets that the Department cannot fund more for travel due to budget restraints at this time.

### **INFORMATIONAL ITEMS**

Noted.

**MOTION:** Catherine Schleis, RDH, moved, seconded by Karen Jahimiak, DDS, in favor of allowing Drs. Barbeau and Skarie to sit in closed session with the Board. Motion carried unanimously.

### **ADJOURN TO CLOSED SESSION**

**MOTION:** Judith Ficks moved, seconded by Karen Jahimiak, DDS, to adjourn to closed session pursuant to Wisconsin State Statutes 19.85(1) (a) (b) (f) and (g) for the purpose of reviewing applications, considering requests for stays of suspension, review of second amended petition for extension of deadline to pay costs, deliberation of proposed stipulation, meeting with the Division of Enforcement and consulting with legal counsel. Roll call vote: Bruce Barrette, DDS – yes; David Carroll, RDH – yes; Keith Clemence, DDS – yes; Nanette Kosydar Dreves, RDH – yes; Judith Ficks – yes; Wilber Gill, DDS – yes; Karen Jahimiak, DDS – yes; Catherine Schleis, RDH – yes; Arthur Srb – yes; Richard Strand, DDS – yes; and Bruce Wayne Trimble, DDS – yes. Motion carried unanimously.

Open session adjourned at 10:53 a.m.

### **RECONVENE INTO OPEN SESSION**

**MOTION:** Catherine Schleis, RDH, moved, seconded by David Carroll, RDH, to reconvene into open session. Motion carried unanimously.

Reconvened to open session at 3:02 p.m.

**VOTING ON ITEMS CONSIDERED/DELIBERATED  
ON IN CLOSED SESSION**

**THOMAS J. LARKIN, DMD - PROPOSED STIPULATION**

**MOTION:** Catherine Schleis, RDH, moved, seconded by David Carroll, RDH, to adopt the Final Decision, Order and Stipulation in the matter concerning Thomas J. Larkin. Case Advisor Nanette Kosydar Dreves, RDH, was absent during deliberations and abstained. Motion carried.

**LANCE R. ORLINSKI, DDS - PROPOSED STIPULATION**

**MOTION:** Keith Clemence, DDS, moved, seconded by Wilber Gill, DDS, to adopt the Final Decision, Order, and Stipulation in the matter concerning Lance R. Orlinski. Case Advisor Karen Jahimiak, DDS, was absent during deliberations and abstained. Bruce Barrette, DDS, abstained. Motion carried.

**LYNN M. RANDEL, DDS - PROPOSED STIPULATION**

**MOTION:** Nanette Kosydar Dreves, RDH, moved, seconded by Richard Strand, DDS, in favor of rejecting the proposed stipulation in the matter concerning Lynn M. Randel, DDS. Case Advisor David Carroll, RDH, was absent during deliberations and abstained from voting. Motion carried.

**GARY V. BURKHOLDER, DDS – REQUEST FOR RECONSIDERATION**

**MOTION:** Nanette Kosydar Dreves, RDH, moved, seconded by Judith Ficks, to deny the request for reconsideration in the matter concerning Gary V. Burkholder, DDS, and have the DRL counsel respond to his letter. Motion carried unanimously.

**RALPH H. LAURELL, JR., DDS – REVIEW OF APPLICATION**

**MOTION:** Karen Jahimiak, DDS, moved, seconded by Catherine Schleis, RDH, in favor of granting a license to Ralph H. Laurell, Jr., DDS. Motion carried unanimously.

**MICHAEL MECIKALSKI, DDS – REQUEST FOR STAY OF SUSPENSION**

**MOTION:** Judith Ficks moved, seconded by Nanette Kosydar Dreves, RDH, in favor of granting a four month stay of suspension in the matter concerning Michael Mecikalski, DDS. Motion carried unanimously.

**JAMES LANDREMAN, DDS – REQUEST FOR REINSTATEMENT OF LIMITED LICENSE**

**MOTION:** Richard Strand, DDS, moved, seconded by Catherine Schleis, RDH, in favor of issuing a limited license to James Landreman, DDS, with the conditions that he have four drug screen tests a month, obtain Board approval of employer, work under supervision, and submit quarterly reports by his employer and his supervising health care provider (doctor or social worker). The order is effective on or before 04-15-04, as long as he has negative screens. Motion carried unanimously.

**LEE R. KRAHENBUHL, DDS – PROPOSED DECISION, CLOSING ARGUMENTS, OBJECTIONS AND RESPONSE TO OBJECTIONS**

No action was taken on the proposed decision, closing arguments, objections and response to objections in the matter concerning Lee. R. Krahenbuhl, DDS. The Board will continue its review of the decision at the next Board meeting, May 5, 2004.

**JOHN K. SYVERSON, DDS - PROPOSED STIPULATION**

**MOTION:** Judith Ficks, moved, seconded by Nanette Kosydar Dreves, RDH, to deny the Final Decision, Order, and Stipulation in the matter of John K. Syverson, DDS. Case Advisor Bruce Wayne Trimble, DDS, was absent during deliberations and abstained. David Carroll, RDH, abstained. Motion carried.

**LEE R. KRAHENBUHL, DDS – REQUEST FOR APPROVAL TO RETURN TO PRACTICE, COURSE COMPLETION APPROVAL, AND REMOVAL OF LIMITATIONS, LS 0010011 DEN.**

**MOTION:** Nanette Kosydar Dreves, RDH, moved, seconded by Catherine Schleis, RDH, to deny the request to change the six month suspension dates from 12-07-03 through 06-06-04 to 11-03-03 through 05-10-04, in the matter concerning Lee. R. Krahenbuhl, DDS. Case Advisor Richard Strand, DDS, was absent during deliberations and abstained. Motion carried.

**MOTION:** Nanette Kosydar Dreves, RDH, moved, seconded by Karen Jahimiak, DDS, to deny the request to approve the course on record keeping because it was not approved by the Board, in the matter concerning Lee. R. Krahenbuhl, DDS. Case Advisor Richard Strand, DDS, was absent during deliberations and abstained. Motion carried.

**MOTION:** Keith Clemence, DDS, moved, seconded by Karen Jahimiak, DDS, to deny the request to remove the endodontics limitation restriction on the

license of Lee. R. Krahenbuhl, DDS. Case Advisor Richard Strand, DDS, was absent during deliberations and abstained. Motion carried.

**GERALDINE MILLER, RDH - APPLICATION REVIEW**

**MOTION:** Richard Strand, DDS, moved, seconded by Bruce Wayne Trimble, DDS, in favor of the Department requesting more information on Geraldine Miller's active practice and active clinical practice. Motion carried unanimously.

**CASE STATUS REPORT**

**MOTION:** Karen Jahimiak, DDS, moved, seconded by Wilber Gill, DDS, to close complaint **00 DEN 089** for compliance gained (P2). Motion carried unanimously.

**MOTION:** Nanette Kosydar Dreves, RDH, moved, seconded by Wilber Gill, DDS, to close complaint **03 DEN 132** for insufficient evidence. Case Advisor David Carroll, RDH, abstained. Motion carried.

**ADJOURNMENT**

**MOTION:** Judith Ficks moved, seconded by Nanette Kosydar Dreves, RDH, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:13 p.m.